

REMARKS

Supplemental Information Disclosure Statement

Applicant respectfully brings to the attention of the Examiner the Supplemental Information Disclosure Statement filed on the same date as the present Amendment.

Initialed Form PTO-1449 Not Provided to Applicant

On August 27, 2004, Applicant submitted a Supplemental Information Disclosure Statement and Substitute Form PTO-1449.

The MPEP states:

The examiner must consider all citations submitted in conformance with the rules and this section, and their initials when placed adjacent to the considered citations on the list or in the boxes provides a clear record of which citations have been considered by the Office.... If any of the citations are considered, a copy of the submitted list, form PTO-1449, or PTO/SB/08A and 08B, as reviewed by the examiner, will be returned to the applicant with the next communication.

MPEP 609 III C(2)

Applicant did not receive an initialed copy of this form with the Office Action mailed September 8, 2004.

Applicant respectfully requests that a copy of the initialed form be provided to Applicant. A copy can be included with the next communication from the Patent Office regarding the present application, or can be sent to Applicant's agent via facsimile at the following number: 408-377-6137.

Objection to the Drawings

The drawings are objected to under 37 CFR 1.83(a), the Office Action stating:

The drawings must show every feature of the invention specified in the claims. Therefore, the first pulse generator means and the second pulse generator means must be shown or the features(s) canceled from the claims(s).

Applicant has amended Claim 13 to recite:

pulse generator means for providing a first pulse on the output clock signal in response to each first edge of the input clock signal and a second pulse on the output clock signal based on results of comparing the second number with the divided number.

Claims 14 and 18-20 are also amended to remove the "first pulse generator means" and the "second pulse generator means." Therefore, the objection is overcome.

Summary of Claim Status

Claims 1-38 are pending in the present application after entry of the present amendment. Claims 1-38 are rejected for the reasons discussed below.

Applicant requests the favorable reconsideration of the claims and withdrawal of the pending rejections and objections, in view of the present amendment and in light of the following remarks.

Rejections Under 35 USC 112

Claims 1-12

Claim 1 is rejected as being indefinite under 35 USC 112, the Office Action stating:

Claim 1 is indefinite because the claim is misdescriptive. The claim calls for the clock terminal of the register to be coupled to the input clock terminal (CLKIN), however this is not what is disclosed in the figures. The figures show the clock terminal of the register being coupled to a second output (CLK_UPDT) of the first counter circuit.

Applicant has amended Claim 1 to clarify that the clock terminal of the register is "coupled to receive a clock update signal from the first counter circuit". Therefore, this rejection is overcome.

Claim 2 is also rejected as being indefinite under 35 USC 112, the Office Action stating:

Claim 2 is also indefinite because the claim is misdescriptive. The claim calls for the input terminal of the first oscillator circuit to be coupled to the input clock terminal (CLKIN), however this is not what is disclosed in the figures. The figures show the input terminal of the first oscillator circuit being coupled to a flip-flop output (CLK_QP) within the first counter circuit.

Applicant respectfully traverses this rejection. In the pictured embodiments (e.g., see Fig. 6), the input terminal of the first oscillator circuit 626 is coupled to the input clock terminal CLKIN via an intervening flip-flop 622. Claim 2 does not specify that the input terminal of the first oscillator circuit is directly coupled to the input clock terminal. Therefore, the description in Claim 2 is correct. Further, in some embodiments of the invention, flip-flop 622 might not be present. Therefore, Claim 2 is believed to be proper and definite.

Claims 3-12 are objected to as being dependent from Claims 1 and/or 2. Therefore, Claims 3-12 are also allowable over the 35 USC 112 rejection.

Claims 13-38

Claims 13 and 24 are rejected as being indefinite under 35 USC 112, the Office Action stating:

Claims 13 and 24 are indefinite because it is not clear to the examiner from review of the specification and the drawings what applicant is referring to as the first and second pulse generator means. It appears to the examiner that there is only one output clock generator that is capable of providing both the first and second pulse on the output clock signal. Correction or clarification is required.

Applicant has amended Claim 13 to recite a single pulse generator means, as described above. Therefore, this rejection is overcome with regard to Claim 13. Claims 14-23 are objected to as being dependent from Claim 13. Therefore, Claims 14-23 are also allowable over the 35 USC 112 rejection. Note that Claims 14 and 18-20 are also amended to maintain correct antecedent basis with respect to amended Claim 13.

Applicant respectfully traverses this rejection with regard to Claims 24-38. A comparison between the steps illustrated in Fig. 18 and the limitations of Claim 24 clearly shows a one-to-one correspondence between the claim limitations and the steps of the method illustrated in Fig. 18. Hence, Fig. 18 and the associated written description should clarify the claim for the Examiner. Further, the reason given for the rejection of Claim 24 does not apply, because Claim 24 does not recite either a "first

pulse generator means" or a "second pulse generator means". Therefore, Claim 24 is allowable, as are Claims 25-38 which are rejected because of their dependency from Claim 24.

CONCLUSION

No new matter has been introduced by any of the above amendments. All claims should be now be in condition for allowance and a Notice of Allowance is respectfully requested. If any action other than allowance is contemplated by the Examiner, the Examiner is respectfully requested to telephone Applicant's agent, Lois D. Cartier, at 720-652-3733.

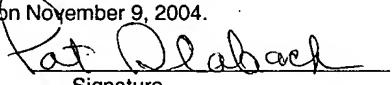
Respectfully submitted,



Lois D. Cartier
Agent for Applicant
Reg. No. 40,941

I hereby certify that this correspondence is being deposited with the United States Postal Service as **first class mail** in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on November 9, 2004.

Pat Slaback
Name


Signature